INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)

| Application Number | | 10509431 |
|------------------------|----------------------|----------------|
| Filing Date | | 2005-07-27 |
| First Named Inventor | Short et al. | |
| Art Unit | | 1792 |
| Examiner Name | Padgett, Marianne L. | |
| Attorney Docket Number | | 102-679 PCT/US |

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

| | That each item of information contained in the information disclosure statement was first cited in any communication |
|----------|---|
| \times | from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the |
| | information disclosure statement. See 37 CFR 1.97(e)(1). |

OR

| | That no item of information contained in the information disclosure statement was cited in a communication from a |
|---|---|
| | foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification |
| | after making reasonable inquiry, no item of information contained in the information disclosure statement was known to |
|] | any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure |
| | |

| ٦ | See attached | certification | etatement |
|---|--------------|---------------|-----------|

| | 17 (n) has been submitted berewith |
|--|------------------------------------|

- N--

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

| Signature | /Ludomir A. Budzyn/ | Date (YYYY-MM-DD) | 2009-03-18 |
|------------|---------------------|---------------------|------------|
| Name/Print | Ludomir A. Budzyn | Registration Number | 40540 |

This collection of information is required by 3T CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is for life and by the USPTO to process) an application. Confidentially is governed by \$5 U.S. C.12 and 3T CFR 1.14. This collection is estimated to take it hour to complete, including gathering, preparing and submitting the completed application from the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Tradenar's Office, U.S. operatment of Commence, P. O. Dax 1436, Alexandris, V.S. 2213-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, V.S. 2213-1450.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the stacked form related to a petient application or patient. Accordingly, pursuant to the requirements of the Act, please be advised that (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) familishing of the information solicided is civulating; and (3) the principal purpuse for which the information is used by the U.S. Patient and Trademan Coffice is to process and/or cosmisting your submission related to a patient agricultant or patient. If you do not furnish the requested process and/or cosmisting your submission related to a patient agricultant or patient. If you do not furnish the requested process and the process of the process and the process of the pro

The information provided by you in this form will be subject to the following routine uses:

- The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552). Records from this system of records may disclosed to the Department of Justice to determine where the Freedom of Information Act requires disclosure of these records.
 - A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiation.
 - A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record perfains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
 - A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552(m).
 - A record related to an International Application filed under the Patent Cooperation Treaty in this system of records
 may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant
 to the Patent Cooperation Treaty.
 - A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
 - 7. A record from this system of records may be discbesed, as a routine use, to the Administrator, General Services, or hisher designed, cuting an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 4d U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
- A record from this system of records may be disclosed, as a routine use, to the public after either publication of the
 application pursuant to 35 U.S.C. 12(2) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be
 disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filled in application
 which became abandoned or in which the proceedings were terminated and which application is referenced by either a
 published application, an application open to public inspections or as issued patent.
 - A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.